

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-21168 - APPLICANT: REI NEON, LLC - OWNER: BLUE DAYDREAMS, LLC

**** CONDITIONS ****

The Planning Commission (5-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning ZON-21165, ZON-21166, SUP-21169, SUP-21171, SUP-21172, SDR-21175 and VAC-21173 if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. The applicant shall submit an on-site parking and queuing plan for taxis and buses to the Planning and Development Department for review and approval prior to the issuance of a building permit.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Private Sports Area at the southwest corner of Charleston Boulevard and Main Street.

Staff finds that the proposed use is generally appropriate for the subject development site and is consistent with the goals and objectives of the Downtown Centennial Plan. As there are concerns about the number of parking spaces provided in Phase I of the development for the arena use, a condition of approval has been included relative to the submittal of a plan for parking and queuing of taxis and buses on the site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/06/86	The City Council adopted by Ordinance #3218 the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area.
07/05/00	The City Council adopted by Ordinance #5238 the Downtown Centennial Plan.
05/17/06	The City Council adopted by #5830 the amended Redevelopment Plan for the Downtown Las Vegas Redevelopment Area.
01/03/07	The City Council adopted by Ordinance #5874 the amended Downtown Centennial Plan.
05/24/07	<p>The Planning Commission recommended approval of companion items GPA-20227, ZON-21165, ZON-21166, SUP-21169, SUP-21171, SUP-21172, VAC-21173 and SDR-21175 concurrently with this application.</p> <p>The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #19/jm).</p>
<i>Pre-Application Meeting</i>	
04/05/07	<p>A pre-application meeting was held with the applicant. The following items were discussed with the applicant:</p> <p>General Plan Amendment to MXU (Mixed Use)</p> <p>Rezoning from M (Industrial) and C-M (Commercial/Industrial) to C-2 (General Commercial)</p> <p>Downtown Centennial Plan Standards – utilities underground, streetscape standards, setbacks, service areas, parking structures, architectural standards such as reflective material, articulated roofline, no blank expressionless walls, detail main entry from street, no reflective glass (22% max).</p> <p>Parking study required</p> <p>Traffic study required</p>

<i>Neighborhood Meeting</i>	
4/24/07	<p>A neighborhood meeting was held on Tuesday, April 24, 2007 at 5:30 p.m. at Artistic Iron Works, 105 W. Charleston Boulevard. 38 members of the public attended the meeting.</p> <p>The following questions and concerns were raised by members of the public:</p> <p>Concern about traffic on Main Street, and whether or not Main Street would be widened.</p> <p>General questions were raised about other traffic mitigation measures that would be required because of the project.</p> <p>Concern about the height and appearance of the parking structures.</p> <p>Concern about how the project might change if the applicant isn't awarded the RFP for the arena.</p> <p>Concern about whether there would be any public art components associated with the project, and how the project will compliment the Arts District.</p> <p>Questions were raised about REI's financial issues, funding, and profits.</p> <p>Concern about whether the project will accommodate the gateway project planned for Charleston Boulevard.</p> <p>Concern about whether the arena would conflict with the Performing Arts Center.</p> <p>A resident expressed a desire that the businesses and buildings on the west side of Main Street be retained, and that the new development be limited to the west side of Commerce Street.</p> <p>Questions were raised about the construction timeframe for the project.</p> <p>A question was raised about whether there was a valid sales contract with every property owner.</p> <p>A question was asked as the whether the applicant would be "flipping" the property.</p> <p>The applicant was asked if they had the financing to complete the project.</p>

<i>Field Check</i>	
04/23/07	<p>The 73.5 acre area is an array of commercial and industrial uses such as offices, retail shops, auto body shops, used car sales, warehouses, motel, and a bus depot. The area is bordered by Charleston Boulevard to the north, Wyoming Avenue to the south, the Union Pacific Railroad to the west, and Main Street to the east.</p>

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	73.50

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Body Shops, Bus Depot, Offices, Motel, Truck Storage, Retail Shops, Used Car Sales, Warehouses.	LI/R (Light Industrial), C (Commercial)	M (Industrial), C-M (Commercial/Industrial), C-2 (General Commercial)
North	Warehouses, Convenience Store	C (Commercial), LI/R (Light Industrial)	M (Industrial), C-M (Commercial/Industrial), C-2 (General Commercial)
South	Auto Body Shops, Shops, Open Storage, Parking Lot,	C (Commercial), LI/R (Light Industrial)	C-M (Commercial/Industrial), C-2 (General Commercial)
East	Auto Body Shops, Storage, Shops, Offices, Tavern, Restaurant	C (Commercial)	C-M (Commercial/Industrial), C-2 (General Commercial)
West	Shops, Offices, Warehouses, Service Station, Car Wash	C (Commercial), LI/R (Light Industrial), MXU (Mixed Use)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		N ¹
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District (<i>Downtown South, Arts District</i>)	X		N
A-O (Airport Overlay) District (200 feet)	X		N ²
Trails³	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

1. A Waiver of Downtown Centennial Plan (Downtown South) Design Standards has been requested by the applicant.
2. A Special Use Permit (SUP-21175) has been requested for a proposed high rise mixed-use development in the Airport Overlay District.

3. Multi-Use Trail designated along railroad. In addition a pedestrian path is designated on Wyoming Avenue. Per Map 9 of the Downtown Centennial Plan, a Proposed Bus Rapid Transit Route is designated as proposed travel route on Main Street.

DEVELOPMENT STANDARDS

Pursuant to Las Vegas Downtown Centennial Plan Development Standards – Downtown South District.

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Setbacks	70% of the first story façade shall align along the front property line.	N	N
Corner Side	70% of the first story façade shall align along the front property line.	N	N
Service Areas	Service areas and loading docks shall not be located at frontage lines. All auto-related facilities (working bays, storage, etc.) shall orient away and be screened	Not provided	N/A
Utilities	All power lines shall be located underground from the nearest street access to the project site.	Y	Y
Encroachments	No aerial encroachments are permitted. No vacations of the street right-of-way shall be permitted for expanding the building footprint.	Y	Y
Fences/Walls	Fences/walls may be up to eight feet. Walls must be decorative in nature with a minimum of 20 percent contrasting materials.	N/A	N/A
Parking Screening	When parking lots face public streets, ornamental screen landscaping shall be incorporated	N/A	N/A
Parking Structures	Parking structures shall have ground level retail, office or restaurant space incorporated into the design of the structure. Such structures shall have no front or corner side setback. A 10 foot setback shall be required where no retail occurs.	Y	Y
Architectural Design Standards	Extended, blank, expressionless walls at the street level shall be prohibited. The use of expression lines and expression zones utilizing materials, colors, and/or relief shall be required in the pedestrian zone to create visually interesting facades (Graphic 14).	N	N*

	The use of arcades, awnings and canopies on the ground floor of a building is required unless waived by City Council as part of a site development plan review. An encroachment agreement with Public Works is required.	N	N*
	The main entry of the building from the street shall be appropriately articulated in the architectural design of the building. This shall be accomplished through change in materials, colors, and/or the amount of detailing around the entry; having the entry slightly recessed or protruding from the primary building line; and/or through the use of canopies or awnings, etc. (Graphic 14).	Y	Y
	Reflective or tinted glass shall not exceed 60 percent of the overall exterior enclosure of any building. Reflectivity of any glass shall not exceed 22 percent reflectivity index. Only non-reflective clear glass or non-reflective tinted glass with a visible light transmittance of about 60 percent shall be used on ground floors in all pedestrian-oriented areas.	N	N*

*A Waiver of Downtown Centennial Plan (Downtown South) Design Standards has been requested by the applicant.

Pursuant to Las Vegas Downtown Centennial Plan Development Standards – Downtown South

<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Right-of-Way Improvements	All streets shall have a five foot amenity zone and a 10 foot wide, unobstructed sidewalk.	Y	Y
North-South Streets	Major north-south streets (Main Street) shall be designed thematically with Deglet-Noor Date Palms or similar type palms as the primary landscape element; 25 feet tall and spaced 30 feet apart. Southern Live Oak, Shoestring Acacia or African Sumac shade trees may be provided between the palm trees with a minimum height of 15 feet	Y	Y
Bus Turnouts	Charter bus drop areas shall be provided in close proximity to the entrances of newly constructed hotels.	N/A	N/A

Parking Requirement – Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Hotel	6,000 Rooms	1:Guestroom	6,000				
Condo (assuming all are two bedroom units)	1,500 Units	1:1.75 unit	2,625				
Resort/Condo Timeshare	1,600 Units	1:unit, plus 10 spaces for each 1,000 feet of accessory uses	1,600				
Gaming Establishment , Non restricted	300,000 SF of GFA	1:90 SF of GFA	3,334				
Private Sports Arena	22,000 Seats	1:4 fixed seats	5,500				
Retail Establishment	785,000 SF	1:250 SF of GFA	3,140				
Office	450,000	1:300 SF	1,500				
SubTotal			23,472	227			
TOTAL			23,699*		14,500	Not provided	

*Per the ULI Shared Parking Study, 13,814 shared parking spaces should be provided.

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

ANALYSIS

The applicant proposes to construct a Private Sports Arena with a total of 22,000 seats on the subject property. The arena will be part of mixed-use development that will also include hotels, casinos, retail facilities, a trade-show facility, residential units, and office space. Title 19.04 does not list any specific minimum standards that must be met; however, the intensity of the use requires the project to be assessed for impacts to the area.

The proposed arena structure will be located at the northeast corner of the development site, and will include a total of 22,000 seats. The structure will be located approximately 100 feet from the Charleston Boulevard property line, in order to allow the development of a plaza space in front of the building. The plaza space will allow adequate area for the queuing of patrons prior to or after events, and also provides a civic amenity for the area. The south entrance to the arena building will have direct access to the interior pedestrian street that will be developed as part of the project, and will provide a secondary means of access to the building. Parking for the Phase I of the project will be located in an underground garage, which will contain approximately 2,300 parking spaces. A total of 14,500 parking spaces will be available when Phases I and II are complete. The arena structure will be approximately 150 feet tall at its highest point, and will be flanked by trade-show facility structures, which will be approximately 360 feet high. The height and massing of these structures are greater than the existing development in the vicinity of the project, but are appropriate for an urban center.

The arena is an appropriate use in the C-2 zoning district, and will likely benefit supporting businesses in the area. While the use is more intense than existing commercial businesses in the vicinity, its principal impacts will be limited to specific periods surrounding scheduled events, which will most likely occur in the evenings and on weekends. Residential uses are planned for Phases I and II of this development, but as the arena will be fully-enclosed, it is unlikely that noise or circulation will impact other on-site uses. The nearest single-family neighborhoods are over 2,500 feet away from the project, and will suffer little impact from the propose arena use.

One of the principle issues of the proposed arena will be its impact to existing traffic patterns. A Traffic Impact Analysis is required as a condition of approval of the site plan for the entire project (SDR-21175); traffic mitigation measures will be applied to the project as part of the approval of the analysis. The applicant is required to provide an additional five feet of right-of-way along Main Street as a preliminary condition of approval of the site plan, and additional right-of-way will most likely be required along the other frontages of the property as mitigation measures.

As part of Phase I of the development, a driveway will be provided on Charleston Boulevard, a driveway will be provided on Main Street, and a service road will be developed along the western boundary of the property and will have access to Wyoming Avenue. These three points of access will be the only means of ingress and egress for the property, but should have adequate on-site queuing space for vehicles. The greatest impact will most likely be to the intersection at Charleston Boulevard and Main Street as patrons are leaving the facility, as Charleston

Boulevard is the most likely route for access to the I-15 freeway or Las Vegas Boulevard. It is likely that a significant number of patrons will be tourists, and will rely on taxis or public transport to arrive at the facility; in addition, the limited number of parking spaces provided in Phase I of the development will necessitate that a majority of the patrons will arrive by some form of public transportation. Adequate area for buses and taxis will need to be provided on site to address this demand, and a condition of approval has been added to require this issue to be addressed by the applicant.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The arena site is surrounded by commercial and industrial uses. While the use is more intense than other uses in the immediate vicinity, it can be conducted in a compatible manner.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The arena will be part of a mixed-use development on a 73.5 acre site in an urban area, and the site is physically suitable for the proposed use.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Based on the initial studies submitted with the application, additional rights-of-way will be necessary to allow the proposed use. A Traffic Impact Analysis will be required as a condition of approval of the site plan, and the applicant will be required to adhere to the mitigation strategies the result from traffic review.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The arena facility is consistent with the General Plan, and will not compromise public health, safety or welfare.

5. The use meets all of the applicable conditions per Title 19.04.

There are no minimum standards that must be met for the arena use. The development will be subject to all applicable code requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 1983 by Planning Department

APPROVALS 0

PROTESTS 0